

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE:)	CASE NO. 22-33333-KRH
)	
Harriet Elizabeth Salley,)	CHAPTER 13
)	
DEBTOR)	JUDGE: Kevin R. Huennekens
)	

Harriet Elizabeth Salley)	ADV. PROC. NO. 23-03003-KRH
)	
Plaintiff)	
)	
v.)	
)	
BCMB1 TRUST)	
)	
Defendant)	

ANSWER TO COMPLAINT

COMES NOW BCMB1 Trust ("Creditor"), a secured creditor in the above-captioned case, by and through counsel, and respectfully responds to the Debtor's Complaint to Determine the Validity, Priority or Extent of Liens (the "Complaint") as follows:

1. Paragraphs 1 through 3 are legal conclusions and do not require response by the Defendant.
2. Defendant admits the allegations in paragraphs 4 through 7 of the Complaint to the extent the allegations accurately reflect the public record. Any remaining allegations of fact or legal conclusions in paragraphs 4 through 7 are denied and Defendant demands strict proof thereof.
3. Defendant denies the allegations contained in paragraph 8 and avers that the tax assessment is inadequate proof of the actual value of the real property at issue.
4. Defendant denies the allegations contained in paragraph 9 and demands strict proof thereof.
5. On December 16, 2022, Defendant filed Claim 3-1 setting forth its secured claim in the amount of \$175,719.69, secured by a mortgage upon the Debtor's real property located at 4932 Topping Lane, Glen Allen, VA 23060.

6. On information and belief, the value of the property stated in the Complaint of \$552,300.00 is below the actual market value and that there is additional equity available for Defendant's lien above and beyond the first lien.

WHEREFORE BCMB1 Trust respectfully requests the Court deny the relief requested in the Complaint and for such other relief as this Court deems proper.

Date: January 18, 2023

McMichael Taylor Gray, LLC

/s/ Todd Rich

Todd Rich

Virginia Bar No. 74296

3550 Engineering Dr., Suite 260

Peachtree Corners, GA 30092

470-289-4347

trich@mtglaw.com

CERTIFICATE OF SERVICE

I, the undersigned, of McMichael Taylor Gray, LLC, hereby certify:

That on this day, I served a copy of the foregoing Answer on:

Harriet Elizabeth Salley
4932 Topping Lane
Glen Allen, VA 23060

By depositing the same in the United States mail, first class, postage prepaid.

That on this day, the foregoing Answer was served by electronic means through the Court's CM/ECF service on:

Via CM/ECF electronic service:

James E. Kane
Kane & Papa, PC
1313 East Cary Street
P.O. Box 508
Richmond, VA 23218-0508

Suzanne E. Wade
7202 Glen Forest Drive, Ste. 202
Richmond, VA 23226

Dated: January 18, 2023

McMichael Taylor Gray, LLC

/s/ Todd Rich

Todd Rich

Virginia Bar No. 74296

3550 Engineering Dr.

Suite 260

Peachtree Corners, GA 30092

470-289-4347

trich@mtglaw.com